

**109.06 BILLING CYCLE**

In accordance with §28-2-2115, MCA, this contract provides that the Department will submit payment estimates in billing cycles other than once a month, when deemed necessary. Do not submit a request for routine payment and requests for payment of any item does not initiate any period for payment. Requests may be submitted for stockpiled material payments in accordance with 109.07.

In accordance with federal regulations, the Project Manager will issue estimates, usually monthly, for progress payments greater than \$500 based on the documentation of approved work and the Project Manager's opinion of the percentage of completion, in accordance with specifications, of each of the project's "Schedule of Items". The Department will review work performed for completeness, specification compliance, and quality assurance before it is given conditional approval for progress payment. Should work that was previously paid for any reason, such as stockpiled material under 109.07, be later found not to comply with quality assurance or specification, such as compliance testing or any required material certification, that part of the work will be deleted from payment approval. In such case, future monthly estimates will be lessened by the reduced amount, or the Contractor will be required to repay the previously-paid amounts until the work is performed in full compliance with specification and quality assurance.

Notice of extended payment provision: this contract allows the Department to make payment within thirty (30) days after submission of estimates by the Project Manager.

The contract's final payment will not be made until:

- The Contractor has fully completed all work under the contract;
- All required documentation has been submitted to the Department's satisfaction; and
- The materials supplied and work performed has passed the Department's quality assurance testing.

Pay all subcontractors within seven days after receipt of a periodic or final payment from the Department, for the full amount due the subcontractor under the subcontract for work performed or materials provided that were included in the periodic or final payment according to the provisions of §28-2-2103(2)(a), MCA. A subcontract may not provide for a time longer than the law's mandated seven days.